

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States Courts
Southern District of Texas
FILED

JUN 01 2011

David J. Bradley, Clerk of Court

United States of America
v.

Olasunkanmi Kazeen Shittu

Case No.

H11-618M

W

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 31, 2011 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

Title 18, United States Code,
Section 1341

Mail Fraud

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

Complainant's signature

Anthony G. Rose, U.S. Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: 06/01/2011

Judge's signature

City and state: Houston, Texas

George C. Hanks, Jr., U.S. Magistrate Judge

Printed name and title

**Affidavit in Support of
Arrest Warrant**

1. I, United States Postal Inspector Anthony G. Rose, have been employed by the U.S. Postal Inspection Service since 1996. I am currently assigned to the Mail Theft team in Houston, TX and have received specialized training in numerous Postal crimes, primarily those involving identity theft and bank fraud related offenses. I am familiar with how identity thieves use victims' information to open fraudulent bank accounts and use these accounts to deposit fraudulently obtained checks and then withdraw the funds via ATM transactions.
2. The information set forth in this Affidavit is based upon Affiant's personal knowledge and/or information provided to Affiant by other law enforcement officers, fraud investigators, and other individuals the undersigned believes to be reliable and credible.
3. Because this Affidavit is being submitted for the limited purpose of supporting a criminal complaint, Affiant has not included each and every fact concerning this investigation. Affiant has set forth only the facts believed to establish probable cause that **Olasunkanmi Kazeen Shittu** has committed violations of federal law.
4. In November 2010, Affiant was contacted by James Myers, Fraud Investigator with Discover Bank, regarding 39 fraudulent Discover credit card accounts that were mailed to addresses in Houston, Texas. Myers told Affiant Discover Bank determined the accounts were linked because the same addresses, phone numbers, and other applicant information were used on many of the cards. In many cases, Discover Bank had also contacted the true person listed on the credit card and found they were victims of identity fraud. Affiant reviewed the charges made on the accounts and discovered several of the accounts were used at a merchant listed as Rozah Jewelry during August-October 2010.
5. Affiant was then contacted by Renee Wilson at Intuit Payment Solutions, which is the merchant processor that handles credit card transactions for Rozah Jewelry. She stated she had identified Rozah Jewelry as a "collusive merchant" that was involved in large dollar transactions using fraudulent credit cards. She also stated Rozah Jewelry did not have a physical address and did not have a credit card machine. Rozah Jewelry purchased software from Intuit that allowed the credit card numbers and other information

to be inputted into a computer in order to conduct transactions. Wilson turned over documents to Affiant regarding the Rozah Jewelry account. Affiant ran business searches on databases such as Lexis-Nexis and the Better Business Bureau but could not locate a business under the name Rozah Jewelry, indicating it was not a legitimate business.

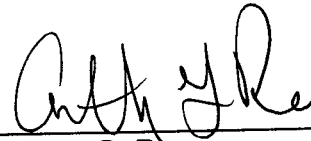
6. Affiant contacted the person listed as the owner on the Rozah Jewelry application with Intuit Payment Solutions and identified him as another identity theft victim with the initials R.O. R.O. told Affiant that he has never heard of Rozah Jewelry, and that he never filled out any application. Affiant also verified that the identifying information on the application including the name, date of birth and social security were in fact the accurate information of R.O., and that the information was placed on the application without the consent of R.O..
7. Affiant reviewed the Intuit records and found that once Rozah Jewelry processed a credit card transaction through Intuit, the funds were then deposited into a Wachovia Bank account number xxxxxxxxx2549. Further investigation revealed the Wachovia business account was opened in the name Rozah Jewelry using R.O.'s personal identifying information. Affiant contacted Carlos Zepeda, Fraud Investigator with Wells Fargo/Wachovia Bank, and he provided good quality bank security photos of a black male suspect, bald, heavy set, approximately 30-40 years old, withdrawing money from the Rozah Jewelry account on November 23, 2010 at the Wachovia Bank teller counter at the Royal Oaks branch in Houston, Harris County, Texas.
8. Affiant reviewed other charges on the original 39 fraudulent Discover credit card accounts and found a Continental Airlines plane ticket from Houston to Philadelphia, PA had been purchased on or about August 1, 2010. Affiant contacted Continental Airlines and found the passenger listed with that transaction was Appolonia Clements. In February 2011, Affiant conducted further investigation into Clements and found she was currently residing at an apartment complex on Cook Road south of Bellaire Boulevard in Houston, Texas.
9. In February 2011 and again in May 2011, Affiant went to Appolonia Clements' apartment complex on Cook Road and spoke with the leasing agents. On May 5, 2011, Leasing Agent Rebecca Villatoro verified Clements was still living there and Affiant also showed her pictures of the heavy set black male suspect captured on video withdrawing money from the fraudulent Rozah Jewelry Wachovia account. Villatoro identified the black male

at the teller counter as a man who Appolonia Clements claimed was her husband. He was not listed on the apartment lease with Clements but both maintenance employees at the complex stated that they routinely saw him in her apartment. None of the employees knew the name of Clements' alleged husband and Affiant could not locate a name for the suspect.

10. On May 16, 2011, Rebecca Villatoro advised Affiant that a UPS Overnight envelope addressed to John Kong at Appolonia Clements' apartment was received at the leasing office on May 12, 2011. She stated Appolonia Clements came to the office and accepted the package. Villatoro stated she had never heard the name John Kong and he was not a residence of Clements' apartment. Prior to Clements accepting the package, Villatoro photocopied the address label and later faxed that information to Affiant.
11. Affiant conducted further investigation on the envelope and found the return address to be Ceridian Services, which is the company that ships Lowe's gift cards that are purchased online. Affiant spoke with Valerie Love at Lowe's Internet Customer Service, who researched the name and address on the envelope and discovered it contained three (3) Lowe's gift cards in the amount of \$5,000.00 each. She also advised Affiant the gift cards were ordered via an online order.
12. Valerie Love provided Affiant with the transaction information regarding the purchase of the three Lowe's gift cards. Affiant discovered the cards were purchased with a Bank of America Visa card ending in 0821 listing an account holder with the initials T.H. On May 17, 2011, Affiant contacted the account holder and he stated he was the victim of fraud and someone had used his existing Bank of America Visa card to make the Lowe's gift card purchase. He did not know how the suspects obtained his credit card information and he stated he did not know John Kong or Appolonia Clements.
13. On May 26, 2011, Affiant obtained a "John Doe" arrest warrant in the Harris County District Court for the black male suspect described above. On May 31st, while conducting surveillance at the suspect's apartment complex on Cook Road, Affiant and other agents observed a black male matching the John Doe description get into a silver Ford Taurus with a dealer drive out tag. Affiant knew from previous information provided by apartment management that the Taurus was owned by the John Doe suspect and his girlfriend

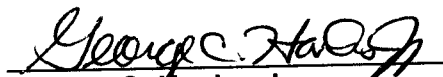
Appolonia Clements. Affiant and other agents arrested the suspect when he entered the vehicle and he identified himself as Olasunkanmi Kazeen Shittu, date of birth January 30, 1971, and also provided Affiant with a driver's license in that name. Affiant compared the photo of the black male withdrawing money from the Rozah Jewelry account to Olasunkanmi Shittu and verified the person in custody was the same person as in the bank photo. While retrieving Shittu's driver's license from his wallet, Affiant also observed a Lowe's gift card number xxxx-xxxx-xxxx-2153. Affiant contacted Valerie Love with Lowe's Internet Customer Service and she verified this Lowe's gift card number was one of the three gift cards purchased with the stolen Bank of America Visa card belonging to the victim with the initials T.H. and delivered to Clements' apartment. Affiant also found approximately 45 additional gift cards from Best Buy, Staples, and Wal-Mart in Shittu's vehicle and among his belongings in Appolonia Clements' apartment. After being advised of his Miranda rights, Shittu admitted he had received all of the gift cards via UPS or the U.S. Postal Service from an unknown individual in Canada and he knew they were purchased under false or fraudulent pretenses.

14. Based upon the above, the undersigned believes there is probable cause to believe that, on or about May 31, 2011, **Olasunkanmi Kazeen Shittu** committed violations of Title 18, United States Code, Sections 1341 and 2 (Mail Fraud).



Anthony G. Rose
United States Postal Inspector

Sworn and Subscribed to me this 1st day of June, 2011, and I find probable cause.



George C. Manks, Jr.
United States Magistrate Judge
Southern District of Texas